IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 23370 of 2000

Between:

M/s. Urmilla Enterprises Pvt.Ltd, Rep. by its Director Manish Sheth, S/o. Kantidhai Sheti, B/o. 116-C, Bazar Street, Vadamal Pet,

Chittoor District

..... PETITIONER

AND

1 The Secretary, Regional Transport Authority,
Tirupati, Chittoor District
2 The Assistant Motor Vehicle Inspector, Check Post,
Renigunta, Chittoor District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction particularly one in the nature of a Writ of Mandamus, declaring action of the 2nd Respondent in seizing the Petitioner's Vehicle Bearing Chassis No.MF 196, Engine No.F 6L912 06-1075-0000010 vide vehicle check report dated 15-11-2000, as illegal, arbitrary and further direct the respondents to release the vehicle of the petitioner forthwith.

Counsel for the Petitioner:MR.P.VENKAT RAO

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following O R D E R:

This writ petition is filed by the petitioner questioning the seizure of the vehicle bearing chassis No. MF 196, Engine No.F6L912 06-1075-0000010, vide check report dated 15.11.2000, as illegal and arbitrary.

At the stage of admission, this Court, by order dated 29.11.2000, directed to release the vehicle subject to the condition of the petitioner depositing a sum of Rs.5,000/- and on giving an undertaking to the effect that he will not alienate the vehicle during the pendency of the proceedings.

Having regard to the nature of the allegations made in check report dated 15.11.2000, it is a matter to be enquired into by the competent authority. This Court in exercise of its jurisdiction under Article 226 of the Constitution of India cannot adjudicate on the allegations made in check report dated 15.11.2000.

In that view of the matter, the writ petition is disposed of directing the competent authority to complete the enquiry, if not already completed. However, it is made clear that the amount already deposited will be subject to the final orders passed in the enquiry. No costs.

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23.06.2005

usd

To

1 The Secretary, Regional Transport Authority,
Tirupati, Chittoor District
2 The Assistant Motor Vehicle Inspector, Check Post,
Renigunta, Chittoor District

3 Two CCs to G.P. for transport, High Court of A.P., Hyderabad (OUT)

4 2 CD copies

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